

**Town of Auburn  
Board of Selectmen  
April 8, 2019  
6:15 PM**

**Selectmen Present:** Richard Eaton, Keith Leclair and Todd Bedard

**Others Present** Mike DiPietro, Michael Rolfe, Russell Sullivan, Paula Marzloff, Road Agent Michael Dross, Linda Dross, Marion Miller, Christine McLaughlin, Susan Goodhue, Police Chief Ray Pelton, Town Administrator William Herman and Nancy Hoijer, Recording Secretary

**Non-Public Session – RSA 91-A: 3, II (c)** Consideration of the reputation of someone other than a member of the Board

***Mr. Eaton motioned to go into non-public session pursuant to the provision of RSA 91-A: 3 II (c) reputation of someone other than a member of the board. Mr. Leclair seconded the motion. A roll call vote was taken: Mr. Eaton – yes, Mr. Leclair – yes, Mr. Bedard – yes. All were in favor, the motion passed unanimously.***

The meeting room was closed to the public at 6:15 PM.

The meeting room was reopened to the public at 6:40 PM.

***Mr. Leclair moved to seal the minutes of the first non-public session. Mr. Bedard seconded the motion, with all in favor, the motion passed unanimously.***

The Chairman recessed the meeting at 6:41 PM.

**Call to Order – Pledge of Allegiance**

Mr. Eaton called the meeting to order at 7:00 pm.

**Approval of Payroll Manifest for the Week of April 1, 2019 - \$44,830.16**

***Mr. Leclair motioned to approve the Payroll Manifest for the Week of April 1, 2019 in the amount of \$44,830.16. Mr. Bedard seconded the motion, with all in favor, the motion passed unanimously.***

**Approval of Accounts Payable Manifest for the Week of April 8, 2019 - \$667,407.09**

***Mr. Leclair motioned to approve the Accounts Payable Manifest for the Week of April 8, 2019 in the amount of \$667,407.09. Mr. Bedard seconded the motion, with all in favor, the motion passed unanimously.***

**Approval of Consent Agenda for the Week of April 8, 2019**

Mr. Eaton read out loud and offered for inspection a copy of the Consent Agenda for the Week of April 8, 2019 some of which included: five (5) applications for Property Tax Credit/Veteran's Credit; one (1) Correspondence – Chief Law Enforcement Officer Waiver, Highway Safety Grant Programs, ten (10) applications for Property Tax Credit/Review & Denial, one (1) Tax Collector's Warrant/Land Use Change Tax, one (1) Cemetery Deed/Auburn Village Cemetery, and one (1) Pistol/Revolver License.

***Mr. Leclair motioned to approve the Consent Agenda for the Week of April 8, 2019. Mr. Bedard seconded the motion, with all in favor, the motion passed unanimously.***

## **New Business**

### **Appointments with the Board**

Jeff Bruaw – Traffic Concerns Old Candia Road – Mr. Bruaw called to cancel his appointment this evening and will re-schedule with the Board at a later date.

### **Landfill Groundwater Monitoring Report – 2018**

Mr. Herman provided the Board with a copy of the DES Waste Management Division April, 2018 Groundwater Monitoring Data Submittal prepared by David A. Allwine, PG/Stantec Consulting Services for the closed Auburn Landfill, Site #199002015.

Mr. Herman noted expected compounds detected in the most recent testing of the monitoring wells at the closed landfill with two wells testing clean. Mr. Eaton asked if there were any contaminants detected or tested off-site. Mr. Herman noted there were no off-site contaminants found in previous tests so the Town has not been required to continue those tests.

### **Landfill GMP Monitoring Activity – 2019**

Mr. Herman provided the Board with Stantec Consulting Services, Inc.'s proposal for 2019 groundwater management testing and permit renewal for the former landfill property on Chester Turnpike. This agreement provides for pulling and testing samples from the four monitoring wells on the property and two surface water sampling points, and preparation and submittal of the annual report required by NH DES. The cost is \$6,400 for sampling and summary and \$1,800 for the 2019 renewal application process. The renewal is applied for 90 days prior to expiration on March 23, 2020. Funds have been budgeted in the Town Building Fund.

***Mr. Bedard moved to approve the proposed 2019 GMP Monitoring Activities at the former Auburn Town Landfill property for a total cost of \$8,200, and to authorize the Town Administrator to sign the agreement on behalf of the Town of Auburn. Mr. Leclair seconded the motion, with all in favor, the motion passed unanimously.***

### **Unanticipated Repair for Engine 1**

Mr. Herman noted Engine 1 was taken out of service on March 25, 2019. Peterbilt diagnosed the turbo for the engine went. The cost to repair the vehicle and put it back in service is \$4,900 and was not specifically budgeted. The discretionary fund has a balance of \$4,567.86 as of December 31, 2018 which could be applied toward the balance with the remainder of \$332 covered by the operating budget of the Fire Department.

Mr. Eaton questioned whether this same engine had repairs a couple of years ago. Mr. Herman will pull the service history and warranty information on the vehicle. Mr. Rolfe noted the previous repairs were not related to this problem.

***Mr. Leclair moved to approve the use of the balance of the Insurance Retention Fund which was \$4,567.86 as of December 31, 2018 to cover repair costs for Engine 1 with the balance due to come from the operating budget of the Fire Department. Mr. Bedard seconded the motion, with all in favor, the motion passed unanimously.***

Mr. Herman advised the Board the Chief has notified him the pump seized on the Forestry vehicle and will need to be rebuilt. The Chief is waiting for an estimate for that repair.

#### Discontinuance Request for Paper Street/Range Avenue

Mr. Herman provided a Memorandum dated March 26, 2019 concerning proposal for discontinuance of Range Avenue. The Planning Board at their March 20, 2019 meeting received and acted upon an application for lot-line adjustments between property owners on Finch Lane (Hathaway and Manchester Water Works). During discussions it was noted the property is encumbered by a paper right-of-way identified as Range Avenue originally planned in 1906. The paper road was never formally accepted by the Town. The Planning Board established a condition in its decision for approval that Range Avenue be discontinued as a paper street in addition to the merger of two remaining lots owned by MWW into one lot. RSA 231:51 (copy provided) allows the governing body to vote to release a dedicated way if no acceptance occurred within 20 years of the dedication. Town Counsel advises there is no Public Hearing required (copy provided). Planning Board minutes were included with a copy of *A Hard Road to Travel* 2015 Edition which indicated the BOS could act on this item. If the Board were to take no action the paper road would remain in place as it is today. If the Board were to take action the front lot abutters are presumed to own title to the center of a street or way with implied easements to back lot owners, which in this case is believed to be Manchester Water Works. The article noted other requirements for Planning Board to require frontage for any building lot. See also RSA 674:41, I (b) and RSA 676:12, V.

Mrs. Marzloff of the Planning Board noted Range Avenue was previously her parent's driveway many years ago, so she is familiar with the property. There is a brook that goes through. "The planned street may have looked good on paper but not in actuality." One small portion extends to Candia Road, the rest is Water Works owned. 101, the State is an abutter to that property and often considers surplus property sales.

Mr. Leclair questioned whether this was a recommendation by the Planning Board? Mr. Herman advised it was a condition of the Planning Board's decision. Mr. Leclair noted he was not sure the Town would benefit from the release of this paper street either way. Mr. Eaton questioned whether the lot-line adjustment was taken care of? Mr. Leclair noted there is no gain to the Town and the Town does not know where this will be 30 years from now. Mrs. Marzloff asked if it had any tax consequences. Mr. Eaton noted MWW is in lieu of taxes so there would be no added revenue. Mr. Eaton agreed there would be no benefit one way or another.

Road Agent Dross questioned lot developments for subdivisions. Mrs. Marzloff noted they are rights of way for future development.

Mr. Leclair and Mr. Eaton representing the majority of the Board, stated it was best to leave it alone.

#### Renewal of Health, Dental, Life and Disability Insurance Coverages

Mr. Herman presented the Board with a Memorandum concerning renewal of the Town employees' coverages with HealthTrust for health, dental, life, short-term and long-term disability. The rate for health insurance increased 4.9% in accordance with what the Town was

notified at budget season. Dental increased 2.3%. The other rates are the same. The renewal would be effective for the July 1, 2019 through June 30, 2020 year.

Mr. Leclair questioned what notice needed to be given to the Town employees if a change was to be made. Mr. Herman advised in the past 30 days' notice was required, but in the new collective bargaining agreement it has changed to 60 days. Mr. Herman noted everyone received the same notice when the last change was considered two years ago, but they did not participate in renewal discussions.

***Mr. Bedard moved to accept the renewal rates offered by HealthTrust for medical, dental, life, short-term and long-term disability coverages for the period of July 1, 2019 through June 30, 2020, and to authorize the Town Administrator to execute the renewal transmittal forms by the required June 7, 2019 deadline. Mr. Leclair seconded the motion, with all in favor the motion passed unanimously.***

#### Safety Complex Addition

Mr. Eaton noted he toured the Safety Complex and discussed the space needs of both the Fire Department and Police Department and proposed a \$40,000 plan which would mitigate some of the items in the MRI Report for less than the \$400,000 addition considered by the Committee last year. He also felt the smaller addition could be funded through the Town Building Fund, which the Board of Selectmen are agents to expend.

Mr. Eaton noted with the addition of one room at the back of the safety complex, which would not require additional plumbing and electrical drawings, things could be moved around, the hallway, a galley kitchen and breakroom, men's and women's bathrooms and locker rooms, and space for the copier and some files. Only the kitchen sink would have to be moved, approximately six feet.

Mr. Leclair would like to reconvene the Committee as they put a lot of work into the prior proposal. Mr. Eaton recommended the Selectmen, Building Inspector, Fire Chief and Police Chief meet at 7:30 AM prior to the workshop. Mr. Herman will notify the Building Inspector and Fire Chief Williams as well as other members of the Budget Committee and Planning Board. Chief Pelton will be present on behalf of the Police Department.

Chief Pelton noted this proposal took the best part of each plan, adding the women's locker room, and record storage, two items listed in the MRI Report. The Fire Department is also going to be looking for storage space and this would help them out as well.

#### Potential Unanticipated Revenues from NH State Budget

Mr. Herman provided a Memorandum concerning Potential Unanticipated Revenues from the NH State Budget together with a FY 09 Revenue Sharing spreadsheet showing Auburn's amount of \$31,522 of the \$25,216,053 surplus. Mr. Herman also provided a breakdown of Education Funding Analysis for Discussion Purposes prepared for House Finance Division II, in HB 2 showing Auburn's proposed share, which was an additional \$11,073 in FY 2020 and \$448,325 in FY 2021 estimated at \$448,325 for the Town reflective of capital gain's tax. However, he noted the increased educational funding is as a result of a proposed Capital Gains Tax, which the Governor has pledged to veto.

## **Old Business**

### **Report/Comments of Ex-Officio Board Representatives**

Mr. Leclair Budget Committee and Planning Board

Budget Committee meets on Thursdays during the months of Oct. – Jan.

Planning Board meets on the 1<sup>st</sup> & 3<sup>rd</sup> Wednesday, next meeting is April 17, 2019

Mr. Eaton Highway Safety Committee

Highway Safety's next meeting is on the 3<sup>rd</sup> Wednesday, April 17, 2019

Mr. Bedard Parks & Recreation Committee

Parks & Recreation will next meet on April 15, 2019

## **Other Business**

Mr. Eaton asked if there were any other business to come before the Board.

Dartmouth Drive

Road Agent Dross noted he met with Selectman Eaton and Dan Tatem of Stantec on Dartmouth Drive a week or so ago. He indicated Mr. Tatem has proposed tying in where the sinkhole was occurring which would require digging it up, putting in the stone, pipe tie-in and paving over, about one-day's work. Mr. Tatem advised Road Agent Dross he was uncertain what was actually causing the problem.

Manchester Water Works – Water main replacements

Road Agent Dross reported MWW will be replacing water mains on Neal Avenue, which they will begin grinding tomorrow, Orchard, Reading, Finch and Rockingham Roads.

## **Next Meetings**

Tuesday, April 16, 2019 – Selectmen and other officials tour Safety Complex – 7:30 AM

Town & School District Training Workshop – 9 AM

Monday, April 22, 2019 – Board of Selectmen Meeting – 7 PM

## **Minutes**

- March 25, 2019 Public Meeting

***Mr. Leclair motioned to approve the March 25, 2019 Public Meeting Minutes, as written. Mr. Bedard seconded the motion, with all in favor, the motion passed unanimously.***

- March 25, 2019 Non-Public Session

***Mr. Leclair motioned to approve the March 25, 2019 Non-Public Meeting Minutes, as written. Mr. Bedard seconded the motion, with all in favor, the motion passed unanimously.***

**Non-Public Session – RSA 91-A: 3, II (c)**

Reputation of someone other than a member of the board

***Mr. Bedard motioned to go into non-public session pursuant to the provisions of RSA 91-A: 3, II (c) reputation of someone other than a member of the board. Mr. Leclair seconded the motion. A roll call vote was taken: Mr. Eaton – yes, Mr. Leclair – yes, Mr. Bedard – yes. All were in favor, the motion passed unanimously.***

The meeting room was closed to the public at 7:55 PM.

The meeting room was reopened to the public at 8:11 PM.

***Mr. Leclair moved to seal the minutes of the non-public session. Mr. Bedard seconded the motion, with all in favor, the motion passed unanimously.***

**Adjourn**

***Mr. Bedard motioned to adjourn the meeting at 8:11 pm. Mr. Leclair seconded the motion, with all in favor, the motion passed unanimously.***

Respectfully submitted,

Nancy J. Hoijer,  
Recording Secretary